

REMARKS

Claims 1-23 remain pending in the application.

The Applicants respectfully request the Examiner to reconsider earlier rejections in light of the following remarks. No new issues are raised nor is further search required as a result of the changes made herein. Entry of the Amendment is respectfully requested.

Claims 1-4, 8-10 and 13-15 over Tillgren in view of Chen

In the Office Action, claims 1-4, 8-10 and 13-15 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 6,339,706 to Tillgren et al. ("Tillgren") in view of U.S. Patent No. 5,003,589 to Chen ("Chen"). The Applicants respectfully traverse the rejection.

Claims 1-4 recite a cordless telephone in a PSTN gateway role that allows a remote telephone piconet device to answer an incoming call to a cellular telephone over a piconet network. Claims 8-10 and 13-15 recite routing audio from a cellular telephone to a remote telephone piconet device over a wireless piconet network.

The Office Action acknowledges that Tillgren fails to disclose a telephone piconet device (Office Action, page 2). However, the Office Action relies on Chen to allegedly disclose a telephone piconet device (Office Action, page 2), i.e., making up for the deficiencies in Tillgren to arrive at the claimed invention. The Applicants respectfully disagree.

Chen appears to disclose a headphone-convertible telephone handset that is convertible between being a standard telephone handset and a headset telephone (Figs. 4 and 5).

Chen fails to even mention that the headphone-convertible telephone handset has piconet capability. In fact, Chen's headphone-convertible telephone handset doesn't even have wireless capability with all pictures of the headphone-convertible telephone handset (Figs. 1-5) showing a corded connection to a base unit. Thus, Chen fails to disclose a wireless headphone-convertible telephone handset, much less a telephone piconet device, as allegedly disclose and recited by claims 1-4, 8-10 and 13-15.

Moreover, even if Chen taught a telephone piconet device (which Chen fails to do as discussed above), "Teachings of references can be combined only if there is some suggestion or incentive to do so." In re Fine, 5 USPQ2d 1596,1600 (Fed. Cir. 1988) (quoting ACS Hosp. Sys. v. Montefiore Hosp., 221 USPQ 929, 933 (Fed. Cir. 1984)) (emphasis in original). Tillgren discloses a mobile telephone with piconet capability sending a telephone call to a non-telephone device, a headset, to converse with a caller. Neither Tillgren nor Chen provide any suggestion to change Tillgren to incorporate a second telephone piconet device, much less to a method and system for routing a telephone call and routing audio from a cellular telephone to a telephone piconet device, as recited by claims 1-4, 8-10 and 13-15.

Moreover, modifying Tillgren with Chen's headphone-convertible telephone handset would be nonsensical. Tillgren routes a telephone call to a headset through a piconet. Modifying Tillgren with Chen's headphone-convertible telephone handset that fails to have piconet capability would result in a completely useless system, i.e., one in which a piconet telephone tries to route a call to a non-piconet headphone-convertible telephone handset. Thus, Tillgren modified by Chen would leave Tillgren non-functional for any purpose, much less its intended purpose.

A benefit of allowing a remote telephone piconet device to answer an incoming call to a cellular telephone is, e.g., use of existing equipment with extended capability. Tillgren requires the use of a specialized headset device to communicate with a call designated to a cellular telephone. Using a telephone device to answer an incoming call directed to another telephone device would allow increased functionality of existing piconet devices without having to rely on specialized headsets, as required by the cited prior art. The prior art fails to disclose or suggest such a system and method with such an advantage.

Accordingly, for at least all the above reasons, claims 1-4, 8-10 and 13-15 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 5-7, 11, 12, 16 and 17 over Tillgren in view of Chen and Crosbie

In the Office Action, claims 5-7, 11, 12, 16 and 17 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Tillgren in view of Chen, and further in view of U.S. Patent Application Publication No. US 2002/0035699 to Crosbie ("Crosbie"). The Applicants respectfully traverse the rejection.

Claims 5-7, 11, 12, 16 and 17 are dependent on claims 1, 8 and 13 respectively, and are allowable for at least the same reasons as claims 1, 8 and 13.

Claims 5-7 recite a cordless telephone in a PSTN gateway role that allows a remote telephone piconet device to answer an incoming call to a cellular telephone over a piconet network. Claims 11, 12, 16 and 17 recite routing audio from a cellular telephone to a remote telephone piconet device over a wireless piconet network.

As discussed above, Tillgren fails to disclose or suggest a method and system for routing a telephone call and routing audio from a cellular telephone to a telephone piconet device, as recited by claims 5-7, 11, 12, 16 and 17.

The Office Action relies on Crosbie to allegedly make up for the deficiencies in Tillgren and Chen to arrive at the claimed invention.

Crosbie's patent application has a priority date of July 23, 2001 which does not pre-date the Applicants' patent application. Crosbie indicates that patent application no. 09/911,092 is based on provisional application no. 60/220,385 filed on July 24, 2000. The requirement of a provisional application is that it supports at least one claim in the later filed application for patent. As such, the degree of disclosure may be substantially less than in the later filed patent application. Therefore, the Examiner can not rely on the filing date of the provisional application without knowing the extent of disclosure on that date. The Applicants respectfully request a copy of provisional application no. 60/220,385 to determine the degree of disclosure on the provisional application's filing date.

Since the rejection of claims 5-7, 11, 12, 16 and 17 can not stand on Tillgren in view of Chen alone, the Applicants respectfully request the rejection of claims 5-7, 11, 12, 16 and 17 over Tillgren in view of Chen be withdrawn.

Accordingly, for at least all the above reasons, claims 5-7, 11, 12, 16 and 17 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 18 and 21-23 over Tillgren in view of Tuoriniemi

In the Office Action, claims 18 and 21-23 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Tillgren in view of U.S. Patent No. 5,978,689 to Tuoriniemi ("Tuoriniemi"). The Applicants respectfully traverse the rejection.

Claims 18 and 21-23 recite passing incoming call information from a wireless telephone receiving an incoming call to a remote telephone piconet device over a wireless piconet.

The Office Action acknowledges that Tillgren fails to disclose a remote telephone piconet device and audibly ringing a remote telephone piconet device in response to receipt of incoming call information by a wireless telephone (Office Action, page 6). The Office Action relies on Tuoriniemi to allegedly make up for the deficiencies in Tillgren to arrive at the claimed invention. The Applicants respectfully disagree.

Tuoriniemi appears to disclose a method and system for allowing a user to listen to a digital audio device through a headset while being alerted to a telephone call received by a cellular telephone (Figs. 1, 5 and 7).

Tuoriniemi discloses a system that allows a user, while listening to an audio source such as a radio broadcast, to also hear a telephone ring to answer an incoming call through a common headset. Tuoriniemi is similar to Chen in that neither disclose any type of apparatus having piconet capability. Thus, Tuoriniemi fails to disclose what the Examiner alleges Tuoriniemi discloses, a telephone piconet device, much less a remote telephone piconet

device and audibly ringing a remote telephone piconet device in response to receipt of incoming call information by a wireless telephone.

Moreover, Tuoriniemi discloses all of the components within the system are hardwired together. No information from the cellular telephone to the headset is passed over a wireless connection, much less a wireless piconet, as recited by claims 18 and 21-23.

Moreover, modifying Tillgren with Tuoriniemi's cellular telephone connected to a headset would be nonsensical. Tillgren routes a telephone call to a headset through a piconet. Modifying Tillgren with Tuoriniemi's telephone connected to a headset that fails to have piconet capability would result in a completely useless system, i.e., one in which a piconet telephone tries to route a call to a non-piconet telephone connected to a headset. Thus, Tillgren modified by Tuoriniemi would leave Tillgren non-functional for any purpose, much less its intended purpose.

Accordingly, for at least all the above reasons, claims 18 and 21-23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 19 and 20 over Tillgren in view of Tuoriniemi and Mohammed

In the Office Action, claims 19 and 20 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Tillgren in view of Tuoriniemi, and further in view of U.S. Patent No. 6,647,426 to Mohammed ("Mohammed"). The Applicants respectfully traverse the rejection.

Claims 19 and 20 are dependent on claim 18, and are allowable for at least the same reasons as claim 18.

Claims 19 and 20 recite passing incoming call information from a wireless telephone receiving an incoming call directly to a remote telephone piconet device over a wireless piconet.

As discussed above, Tillgren in view of Tuoriniemi fails to disclose or suggest passing incoming call information from a wireless telephone receiving

an incoming call, to a remote telephone piconet device over a wireless piconet, as recited by claims 19 and 20.

The Office Action relies on Mohammed to allegedly make up for the deficiencies in Tillgren in view of Tuoriniemi to arrive at the claimed invention.

The Examiner alleges that Mohammed discloses audibly ringing a wireless telephone together with a remote piconet device in response to the receipt of an incoming call information by the wireless telephone at col. 16, lines 61-col. 17, line 14 (Office Action, page 7). The Applicants respectfully disagree.

Mohammed appears to disclose a telephone system comprised of licensed devices and unlicensed devices (Fig. 1). When a subscriber device is within a coverage area of a base station, both the subscriber device and a desktop telephone may simultaneously ring in response to a call (Mohammed, col. 17, lines 10-14). A base station communicates with a subscriber device through any one of a number of protocols, including Bluetooth (Mohammed, col. 6, lines 11-21).

Mohammed discloses transferring an active telephone call to a single telephone device from a wireless PBX based telephone system to a cellular network when a subscriber device is outside of a range to a base station. Mohammed fails to disclose or suggest direct communication between **two** telephone devices, much less passing incoming call information from a wireless telephone receiving an incoming call directly to a remote telephone piconet device over a wireless piconet, as recited by claims 19 and 20.

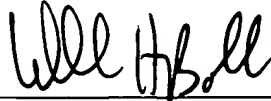
Neither Tillgren, Tuoriniemi nor Mohammed, either alone or in combination, disclose, teach or suggest passing incoming call information from a wireless telephone receiving an incoming call directly to a remote telephone piconet device over a wireless piconet, as recited by claims 19 and 20.

Accordingly, for at least all the above reasons, claims 19 and 20 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,
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